

Appendix A
Chart of Affirmative Defenses Plaintiff Challenges In Each Action

Affirmative Defense	30035	30039	30044	30047	30048	30094	30126	30127	30141	30285
Defendants neither owed nor breached any duty	UBS (11) ¹ ; Res. Sec. (16)	DB (11)	RBS (12)	CS (5)	CS (5); UBS (11)	JPM (6); WaMu (6); Individual Ds (6)	GS (10); JPM (6); Bar (7); UBS (11); Individual Ds (6)	JPM (6)	HSBC (18)	ML (5); DB (11); GS (10); JPM (6); RBS (11)
Plaintiff “should have known,” had “constructive knowledge,” or “assumed the risk” of the alleged misstatements or omissions	UBS (12, 19); Res. Sec. (14, 20)	DB (12, 19)	RBS (13)	CS (6, 12)	CS (6, 12); UBS (12)	JPM (8, 14); WaMu (8, 14); Individual Ds (8, 14)	GS (20); JPM (8, 14); Bar (6, 23); UBS (12, 19); Individual Ds (8, 14)	JPM (8, 14)	HSBC (10 14, 17)	ML (6); DB (12, 19); GS (20); JPM (8, 14) RBS (12, 19)
Plaintiff failed to mitigate damages	UBS (15); Res. Sec. (21)	DB (15)	RBS (16)	CS (13)	CS (13); UBS (15)	JPM (20); WaMu (20); Individual Ds (20, 21)	GS (17); JPM (20); Bar (20); UBS (15); Individual Ds (20)	JPM (20)	—	ML (13); DB (15); GS (17); JPM (20); RBS (15)
Plaintiff’s alleged losses were not caused by the alleged misstatements or omissions	UBS (17)	DB (17)	RBS (18)	CS (11)	CS (11); UBS (17)	JPM (19); WaMu (19); Individual Ds (19)	GS (12); JPM (19); Bar (10); UBS; Individual Ds (19)	JPM (19)	—	ML (12); DB (17); GS (11, 14, 16); JPM (19); RBS (17)
Plaintiff’s purchases were not effected “by means of” the alleged misstatements or omissions	UBS (20); Res. Sec. (17)	DB (20)	RBS (20)	CS (7)	CS (7); UBS (20)	JPM (12); WaMu (12); Individual Ds (12)	GS (18); JPM (12); Bar (19); UBS (20); Individual Ds (12)	JPM (12)	HSBC (19)	ML (27); DB (20); GS (18); JPM (12); RBS (20)
Plaintiff’s claims are barred by laches, equitable estoppel, or other equitable defenses	UBS (26); Res. Sec. (3, 4)	DB (26)	RBS (26)	CS (23)	CS (23); UBS (26)	JPM (23); WaMu (23); Individual Ds (23, 24)	GS (21); JPM (23); Bar (18); UBS (26); Individual Ds (23, 24)	JPM (23)	HSBC (9)	ML (17); DB (26); GS (21); JPM (23); RBS (26)
Plaintiff’s recovery should be reduced by the fault attributable to other individuals/entities	—	—	—	CS (20)	CS (20)	JPM (17); WaMu (17); Individual Ds (17)	GS (15), JPM (17), Individual Ds (17)	JPM (17)	HSBC (4)	ML (27), GS (15), JPM (17)
Plaintiff would be unjustly enriched	—	—	—	—	—	—	Bar (18)	—	HSBC (21)	—
Plaintiff’s damages are speculative	—	—	—	—	—	—	—	—	HSBC (5)	—

¹ The number in parentheses corresponds to the numbered defense asserted by the corresponding defendant(s) in its answer. For example, this entry denotes that the “no duty” defense is UBS’s Eleventh Defense in the 30035 action.